



OFFICE OF CHIEF INFORMATION OFFICER CAREER EXECUTIVE ASSIGNMENT EXAMINATION ANNOUNCEMENT

California State Government supports equal opportunity to all regardless of race, color, creed, national origin, ancestry, sex, marital status, disability, religious or political affiliation, age, sexual orientation, medical condition or pregnancy. It is an objective of the State of California to achieve a drug-free work place. Any applicant for state employment will be expected to behave in accordance with this objective because the use of illegal drugs is inconsistent with the law of the State, the rules governing Civil Service, and the special trust placed in public servants.

DEPARTMENT:	OFFICE OF CHIEF INFORMATION OFFICER	RELEASE DATE:	Tuesday, March 2, 2010
POSITION TITLE:	Chief Counsel	FINAL FILING DATE:	Monday, March 15, 2010
CEA LEVEL:	CEA 5	EXTENDED FINAL FILING DATE:	
SALARY RANGE:	\$ 9,544.00 - \$13,381.00 / Month	BULLETIN ID:	03022010_9

POSITION DESCRIPTION

Under the administrative direction of the Office of the State Chief Information Officer (OCIO) and the Chief Deputy Director of the Office of Policy and Program Management, the Chief Counsel provides legal advice to Agency and Office executive staff and manages the Legal Division. The Chief Counsel acts as a member of agency staff, identifies issues, and develops legal strategies to meet program objectives including operational and enterprise policy, human resources, procurement, information technology, equal employment opportunity, and legislation.

The Chief Counsel is responsible for the specific duties described below:

- Serves as the OCIO's legal expert regarding issues of statewide governance, policy formulation, and direction for implementing the State's IT program, priorities, and initiatives consistent with the State's business priorities. The Chief Counsel works closely with Agency executives and executives from the OCIO's four offices in the formulation of OCIO policy and assists in determining the OCIO position regarding relations with federal agencies and other state agencies.
- Consults with and provides legal advice to the State CIO and its executive staff on the interpretation and analysis of law, court decisions, rules, and regulations affecting the functions of the State CIO Office.
- Personally performs complex legal work. Prepares and/or reviews letters, opinions, and orders on complex legal questions and cases; prepares and/or reviews pleadings, briefings, and other legal documents in sensitive litigation related to legislative rules, regulations, policies, public record requests, personnel actions, and statewide procurement policies.
- In the event the State receives a Notice of Violation of the Federal Communications Rules and Regulations (Citation), the Chief Counsel oversees the preparation of the formal response so as to minimize the State's exposure to further legal proceedings. In the event that the operation of State radio communications requires a waiver of the Federal Communications Commission Rules and Regulations, the Chief Counsel prepares the formal documentation substantiating the requested waiver so as to comply with all legal requirements of the Federal Communications Commission. Provides guidance to Public Communications and Safety Division (PSCD) personnel representing the State and/or will represent the State in official matters

before the Federal Communications Commission. Provides legal interpretation representation of existing tariffs as well as legal representation at hearings on legal matters that involve the California Public Utilities Commission. • Represents the OCIO on highly sensitive legal matters pertaining to the implementation of the State IT Strategic Plan (ITSP). The Chief Counsel is responsible for representing the OCIO in initiatives supporting the development and implementation of the State's IT vision, mission, goals, and objectives; for initiatives and activities supporting the Enterprise Initiatives, State IT Capital Plan, Statewide Policy, and Project Lifecycle programs; and for serving as legal advisor on any issue related to the State's IT program. • Serves as legal advisor to OCIO staff in procurement and bidding, contract administration, and enforcement. Provides legal support in document preparation and in negotiations with bidders. Functions as the principal liaison in procurement protest hearings and/or will supervise the staff attorney(s) who is/are assigned to the protest matter. Approves IT contracts that meet a certain dollar threshold and provides recommendations whether certain contracts should be approved by the Agency. • Provides contract language review to include the development of contracts for telecommunications goods and services and for the development of contracts related to the lease/purchase of land or facilities for use as a "telecommunications facility." Interprets contract language and provides advice on matters related to the implementation of laws, regulations, and/or rules (local, State, Federal) as they apply to the acquisition, installation, use, and/or operation of telecommunications equipment and facilities and as they apply to the function and operation of the PCSD. • Advises and assists in internal employee actions, complaints, and claims, and advises Human Resources on employment law, disciplinary matters, and other administrative employment proceedings. Advises Agency and office executive staff on appropriate employment remedies including appropriate level of disciplinary actions and advises on proposed settlements. Reviews disciplinary actions and other administrative actions prepared by Human Resources and meets with representatives and attorneys. Functions as the principal liaison to the Office of the Attorney General or any other entity representing the Agency in administrative and civil litigation. Provides legal advice in the administration of workers' compensation claims including proposed settlements. Reviews State Personnel Board precedential decisions, state and federal court rulings impacting employment practices, and advises Human Resources on hiring practices to ensure non-discriminatory employment policies and equal opportunity to all job applicants and employees. • Provides oversight to one staff counsel and one support staff. Evaluates direct reports on completion of their administrative responsibilities; develops and updates duty statements as needed, establishes performance expectations, completes individual development plans annually, completes probationary reports on a timely basis and other performance management activities, including adherence to the State's progressive discipline policy which also includes taking corrective or disciplinary action as necessary. • Advises and assists the Agency Equal Employment Director and Equal Employment Opportunity Officer in the administration of the Agency's Equal Employment Opportunity Program. Provides advice on discrimination complaints; reviews investigative reports and determinations for legal sufficiency; reviews reasonable accommodation appeals for Employment and Housing inquiries and investigations for legal sufficiency. Provides recommendations on findings of discrimination, and advises on formal and informal settlement agreements.

MINIMUM QUALIFICATIONS

Applicants must meet the following minimum qualifications:

Either I

Must be a State civil service employee with permanent civil service status or who previously had permanent status in the State civil service.

Or II

Must be a current or former employee of the Legislature, with two or more consecutive years as defined in Government code § 18990.

Or III

Must be a current or former non-elected exempt employee of the Executive Branch with two or more consecutive years (excluding those positions for which salaries are set by statute) as defined in Government Code § 18992.

Or IV

Must be a person retired from the United States military, honorably discharged from active military duty with a service-connected disability, or honorably discharged from active duty as defined in Government Code § 18991.

SPECIAL REQUIREMENTS

Applicant must be a current member in good standing with the California State Bar.

KNOWLEDGE AND ABILITIES

Applicants must demonstrate the ability to perform high administrative and policy – influencing functions effectively. Such overall ability requires possession of most of the following more specific knowledge and abilities:

(1) Knowledge of the organization and functions of California State Government including the organization and practices of the Legislature and the Executive Branch; principles, practices, and trends of public administration, organization, and management; techniques of organizing and motivating groups; program development and evaluation; methods of administrative problem solving; principles and practices of policy formulation and development; and personnel management techniques; the department's or agency's Equal Employment Opportunity Program objectives; and a manager's role in the Equal Employment Opportunity Program.

(2) Ability to plan, organize, and direct the work of multidisciplinary professional and administrative staff; analyze administrative policies, organization, procedures and practices; integrate the activities of a diverse program to attain common goals; gain the confidence and support of top level administrators and advise them on a wide range of administrative matters; develop cooperative working relationships with representatives of all levels of government, the public, and the Legislature and Executive branches; analyze complex problems and recommend effective courses of action; and prepare and review reports; and effectively contribute to the department's or agency's Equal Employment Opportunity objectives.

These knowledge and abilities are expected to be obtained from the following kinds of experience with substantial participation in the formulation, operation and/or evaluation of program policies (experience may have been paid or volunteer; in State service, other government settings, or in a private organization):

CEA Level 1. Supervisory/administrative experience in a line or staff activity, including the execution and/or evaluation of program policies.

CEA Levels 2 and 3. Broad administrative or program manager experience with substantial participation in the formulation, operation, and/or evaluation of program policies.

CEA Levels 4 and 5. Extensive managerial and program administrative experience which has included substantial responsibility for a combination of management functions such as program planning; policy formulation; organization coordination and control; and fiscal and personnel management. Where high technical professional qualifications are of primary importance in performing the duties of a given CEA position, then the above required experience may have been in a staff capacity exercising professional skills to influence and contribute to program, policy, and methods of providing those professional services. Primary examples are medical doctors and attorneys.

DESIRABLE QUALIFICATION(S)

The following experience factors will be considered in competitively evaluating each candidate:

1.Must be a current member in good standing with the California State Bar; 2.Ability to effectively contribute to the Agency's Equal Employment Opportunity Program objectives 3.Ability to gain the confidence and support of top level administrators and advise them on a wide range of administrative matters; ability to develop cooperative and effective working relationships with representatives of all levels of government, the public, and the Legislature and Executive branches; 4.Demonstrated ability to apply legal principles and precedents to the most difficult and complex legal and administrative problems and to be a reliable source of accurate information and sound legal and policy advice; 5.Ability to effectively present statements of fact, law, and argument clearly and logically; 6.Demonstrated ability to negotiate effectively and independently to present difficult and complex cases in court; 7.Demonstrated ability to prepare litigation and represent the OCIO before the Legislature; 8.Ability to adhere to the duty to execute the mission and responsibilities of the OCIO consistently while advancing the goals of the Administration; 9.Strong desire to find practical and effective solutions to achieving the OCIO's desired goals; 10.Ability to recognize the validity of other points of view and to treat others with civility; 11.Ability to communicate effectively both orally and in writing, particularly in regards to communicating complex issues in terms that legal, business, and IT executives understand in order to make informed legal and business decisions; and 12.Ability to identify issues that impact departments statewide and make presentations to high-level governmental officials, executives and employees in the public sector.

EXAMINATION INFORMATION

A minimum rating of 70% must be attained to obtain list eligibility. Hiring interviews may be conducted with the most qualified candidates. All candidates will receive written notification of their examination results. The result of this examination will be used only to fill the position of **Chief Counsel**, with the **OFFICE OF CHIEF INFORMATION OFFICER** . Applications will be retained for twelve months.

The Results of this examination will be used only to fill this position and may be used to fill subsequent vacancies for this position for a period of up to twelve months.

This examination will consist of a review of the candidates' application and Statement of Qualifications by an executive screening committee, using predetermined evaluation criteria. Only the most qualified candidates will be selected for interviews. All applicants receiving an interview

will be notified of their final score. In order to be successful in this examination a minimum rating of 70 percent must be attained.

Please see the official Exam Bulletin on our website at: www.dts.ca.gov

FILING INSTRUCTIONS

Interested applicants must submit:

- A completed Standard State Application (Form 678).
- A "Statement of Qualifications". The Statement is a narrative discussion of how the candidate's education, training, experience, and skills meet the minimum and desirable qualifications and qualify them for the position. The Statement of Qualifications serves as a documentation of each candidate's ability to present information clearly and concisely in writing and should be typed and no more than two pages in length.
- Resumes do not take the place of the Statement of Qualifications.
- No smaller than 10 point font
- The Statement of Qualifications must also include a brief description of one or two key accomplishments in the past 12 months
- Note: Candidates who do not follow the filing instructions will be disqualified from the examination.

Applications must be submitted by the final filing date to:

OFFICE OF CHIEF INFORMATION OFFICER , Selection Services and Training Unit, Cannery
MS Y8

P.O. Box 1810, Rancho Cordova, CA 95741
Tammy Ervin | (916) 739-7515 | Tammy.Ervin@state.ca.gov

ADDITIONAL INFORMATION

Additional required knowledge: 7.Knowledge of Federal Communications Commission and California Public Utilities Commission Rules and Regulations. 8.Knowledge of current technology, including the business needs of stakeholders and their organization as well as political, administrative and fiscal environments in order to understand the potential impact of issues and parameters of solutions; 9.Best practices in IT projects and support services and knowledge of typical risk areas in the project life cycle to bring quality approaches to the most vulnerable project tasks; 10.Comprehensive understanding of state administrative policies, strategic and operations planning, and best management practices; 11.Knowledge of project and state contract management practices; 12.Knowledge of state budget processes; 13.Knowledge of state and federal control agency requirements for project approval and oversight;

SPECIAL TESTING

If you have a disability and need special testing arrangements, mark the appropriate box in Part 2 of the "Examination Application." You will be contacted to make specific arrangements.

GENERAL INFORMATION

If you meet the requirements stated in this bulletin, you may take this examination, which is competitive. Possession of the entrance requirements does not assure a place on the eligible list. Your performance in the examination described on this bulletin will be compared with the

performance of others who take this test, and all candidates who pass will be ranked according to their scores.

The OFFICE OF CHIEF INFORMATION OFFICER reserves the right to revise the examination plan to better meet the needs of the service if the circumstances under which this examination was planned change. Such revision will be in accordance with civil service law and rules and all competitors will be notified.

General Qualifications: Candidates must possess essential personal qualifications including integrity, initiative, dependability, good judgment, and ability to work cooperatively with others.

Class specs: <http://www.dpa.ca.gov/textdocs/specs/s7/s7500.txt>